

Meeting Notes – Treated Seed Petition Discussion with OGC (3/9/21)

3:15 PM to 4:00 PM; Microsoft Teams Meeting # 571-429-6099

Conference ID: 354 320 454#

**Attendees:**

EPA:

- PRD RMIB IV: Quinn Gavin, Sue Bartow, Maryam Muhammad, Julie Javier, and Linda Arrington (BC)
- OGC: Angela Huskey, Michele Knorr, and Erin Koch

**Objective:** To discuss the path forward for the treated seed petition and how it will affect the neonic decisions.

## Deliberative Process / Ex. 5

**Background:**

- Previously, EPA and PMRA issued a joint statement on treated seeds. It states that if the pesticide is protecting the seed, then the treated article exemption applies. Until now it has been accepted that all treated seeds fall under that exemption but neonics are an exception because they are systemic pesticides. (If the neonic appears in the plant's pollen/nectar, then possibly it goes beyond just protection of the seed and expands to pesticidal activity in the plant.)
  - One potential policy option for OPP to consider is **Deliberative Process / Ex. 5**
- Seed Petitions that are currently pending that related to neonics:
  - NRDC: A petition about revoking neonic tolerances. (Branch 2; PRD)
  - CFS: A Clothianidin registration/ESA consideration petition. (Branch 1; PRD)
  - CFS et al.: Treated Article Exemption as it applies to treated seeds (Branch 4; PRD)

**Issues associated with the seed petition**

- **Deliberative Process / Ex. 5**
  - A possible solution is **Deliberative Process / Ex. 5**

## Deliberative Process / Ex. 5

undergoing review. OGC doesn't think

Attorney Client / Ex. 5

Attorney Client / Ex. 5

- Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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**Deliberative Process / Ex. 5**

- OPP and NRDC had a conference call on 3/5/21. NRDC mentioned treated seeds and had three key points. These points could be vulnerabilities in the neonic IDs if they were mentioned in the public comments.

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**Deliberative Process / Ex. 5**

- Plant-incorporated protectants (PIPs) Deliberative Process / Ex. 5

**Deliberative Process / Ex. 5**

- **Deliberative Process / Ex. 5**

○ OGC quickly stated

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**Attorney Client / Ex. 5**

- Industry has made the argument that there are three parts to a seed. In their argument, they claim that one part of the seed is the 'baby' plant so any residues in the plant is really an extension of the seed.

○ OGC believes

Attorney Client / Ex. 5

**Attorney Client / Ex. 5**

Additional Information to Consider

**Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

- Deliberative Process / Ex. 5

**Deliberative Process / Ex. 5**

## Deliberative Process / Ex. 5

Next steps:

- Deliberative Process / Ex. 5
- Deliberative Process / Ex. 5
- Develop a policy paper with the issues and possible options for moving forward.

- Deliberative Process / Ex. 5